بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِيْمِ

FIQH OF FOOD & DRINK: CHAPTER 5

The Causes of Prohibition

اسباب حرمت کا بیان

A Structural Guide to Textual Evidence (*Nass*) and Impurity (*Najis*)

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Course Roadmap & Progress Timeline

M1 Foundations of Halal, Tayyib, and Islamic Food Law

- **1.** Introduction to Halal Food and Tayyib Consumption
- **2.** Core Terminologies and Conceptual Spectrums in Halal Consumption
- **3.** Sources of Islamic Rulings in Food Law
- **4.** Practical Shariah Rulings, Sourcing Taxonomy, and Legal Maxims

M2 Causes of Prohibition, Doubt, and Legal Exceptions

- **5.** Causes of Prohibition in Foods and Drinks
- **6.** Jurisprudence of Impurities, Ritual Cleanliness, and Purification
- **7.** Intoxication, Khamr, and Alcohol Issues
- **8.** Harmfulness, Food Safety, and Maqasid al-Shari'ah
- **9.** Filthiness / Khabaith
- **10.** Necessity, Need, and Legal Concessions
- **11.** Doubtful Matters, Precaution, and Avoidance of Paranoia
- **12.** Istihlak, Negligible Quantities, and Al-Qalil Kal-Ma'dum
- **13.** Istihaalah and the Transformation of Substances

M3 Natural Food Sources and Animal Classification

- **14.** Plant, Mineral, Synthetic, and Microbial Ingredients
- **15.** Classification of Animals in Islamic Law
- **16.** Aquatic Animals, Seafood, and Marine Ingredients
- **17.** Insects, and Invertebrates
- **18.** Milk, Dairy, Eggs, Honey, and Primary Animal-Derived Foods

M4 Slaughter, Meat, Feed, and Animal Welfare

- **19.** Veterinary Ethics and Modern Livestock Farming
- **20.** Animal Feed and Feeding Standards
- **21.** Slaughtering in Islamic Law
- **22.** Mechanical Slaughter and Stunning
- **23.** Hunting
- **24.** Meat of Ahl al-Kitab, Kosher Food, and Meat in Non-Muslim Markets

M5 Animal Organs, Blood, By-Products, Gelatin, and Enzymes

- **25.** Animal Organs and Edible Offal
- **26.** Blood and Blood-Derived Products
- **27.** Animal By-Products
- **28.** Gelatin, Collagen, and Animal-Derived Hydrolysates
- **29.** Cheese Production, Rennet, Enzymes, and Functional Dairy Ingredients

M6 Additives, Solvents, Fermentation, Biotech, and Future Foods

- **30.** How to read a food label
- **31.** Food Additives, E-Numbers, and Ingredient Risk Assessment
- **32.** High-Risk Food Additives and Contemporary Halal Issues
- **33.** Flavours, Extraction Technologies, and Solvent Systems
- **34.** Carrier Agents, Oleochemicals, and Functional Ingredient Systems
- **35.** Fermentation, Vinegar, Cultures, and Enzyme Technology
- **36.** Biotechnology, GMOs, Synthetic Biology, and Future Foods

M7 Internal/Exte… Human Mater… Medicines, &…

- **37.** Internal and Exte… Substances
- **38.** Human-Derived Materials
- **39.** Halal Pharmaceuticals and Medical Products
- **40.** Halal Cosmetics, Personal Care, and Aesthetic Products

M8 Halal Assurance, Operations, Certification, and Governance

- **41.** Halal Manufacturing, Packaging, and Operational Control
- **42.** Sanitation, Cross-Contamination Control, and Shared Facilities
- **43.** Supply Chain Integrity, Traceability, and Laboratory Verification
- **44.** Halal Certification, Auditing, Risk Management, and Governance

M9 Applied Halal, Ethics, Trade, and the Future

- **45.** Applied Contemporary Halal Issues, Business Ethics, Trade, Sustainability, and Spiritual Tayyiban (Social Issues)

يَـٰٓأَيُّهَا ٱلنَّاسُ كُلُوا۟ مِمَّا فِى ٱلْأَرْضِ حَلَـٰلًا طَيِّبًا

اَلْأَصْلُ فِي الْأَشْيَاءِ الْإِبَاحَةُ

The Universal Baseline: Permissibility

The origin of all things is permissibility.

The Default State

Unless a specific text or legal cause (*'Illah*) intervenes, all foods and drinks are Halal.

The Shariah

The Burden of Proof

A food does not need proof to be Halal; it requires evidence to be declared Haram.

"O mankind, eat from whatever is on earth [that is] lawful and good..."

(Qur'an 2:168)

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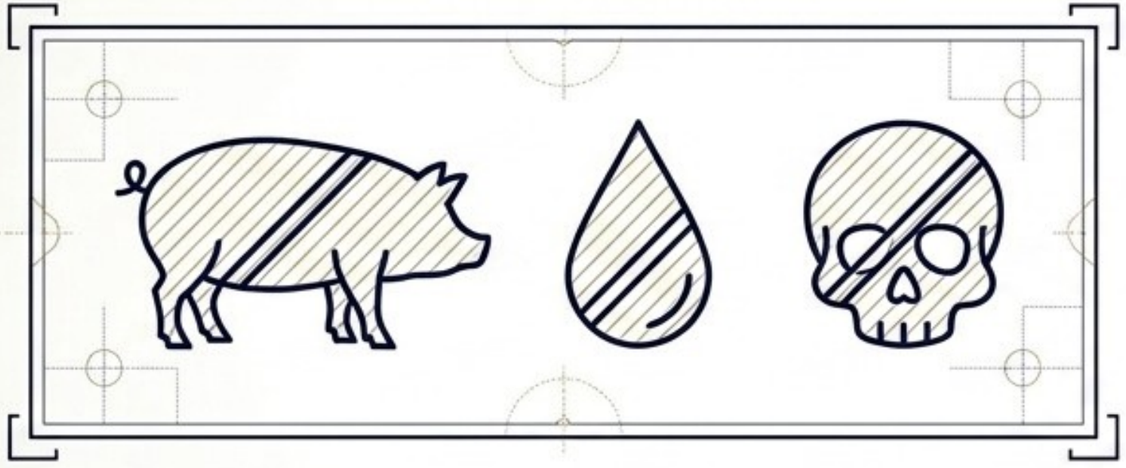
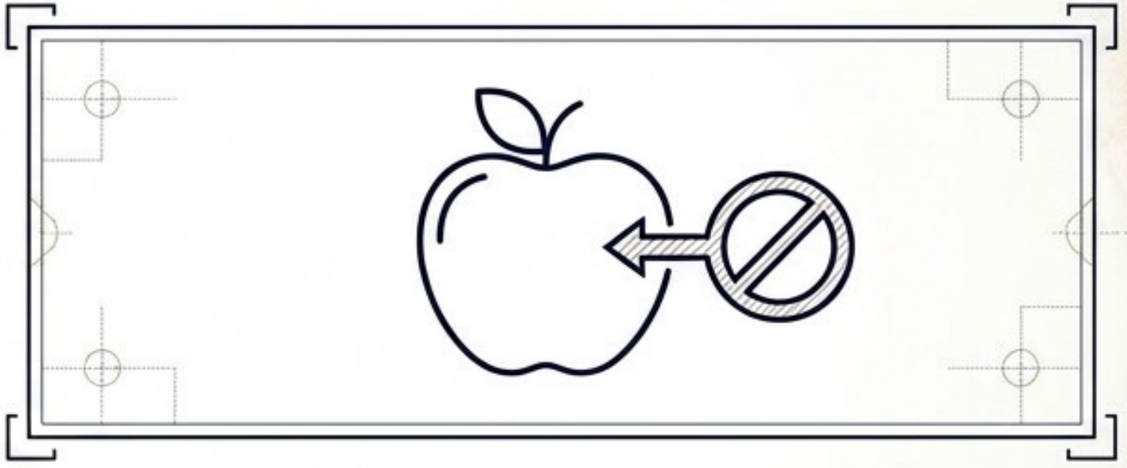
The Two Categories of Prohibition

Intrinsic Prohibition
حَرَام لِذَاتِهِ. *(Ḥarām li-Dhātihi)*



Definition:	Prohibited due to the inherent nature of the substance itself. The prohibition lives inside the item.
Permanence:	Absolute. Cannot be made Halal.
Examples:	Swine, Flowing Blood, Carrion

Extrinsic Prohibition
حَرَام لِغَيْرِهِ *(Ḥarām li-Ghayrihi)*



Definition:	Originally pure in essence, but prohibited due to an external factor or circumstance.
Permanence:	Conditional upon the external factor.
Examples:	Contamination, Improper Slaughter, Theft

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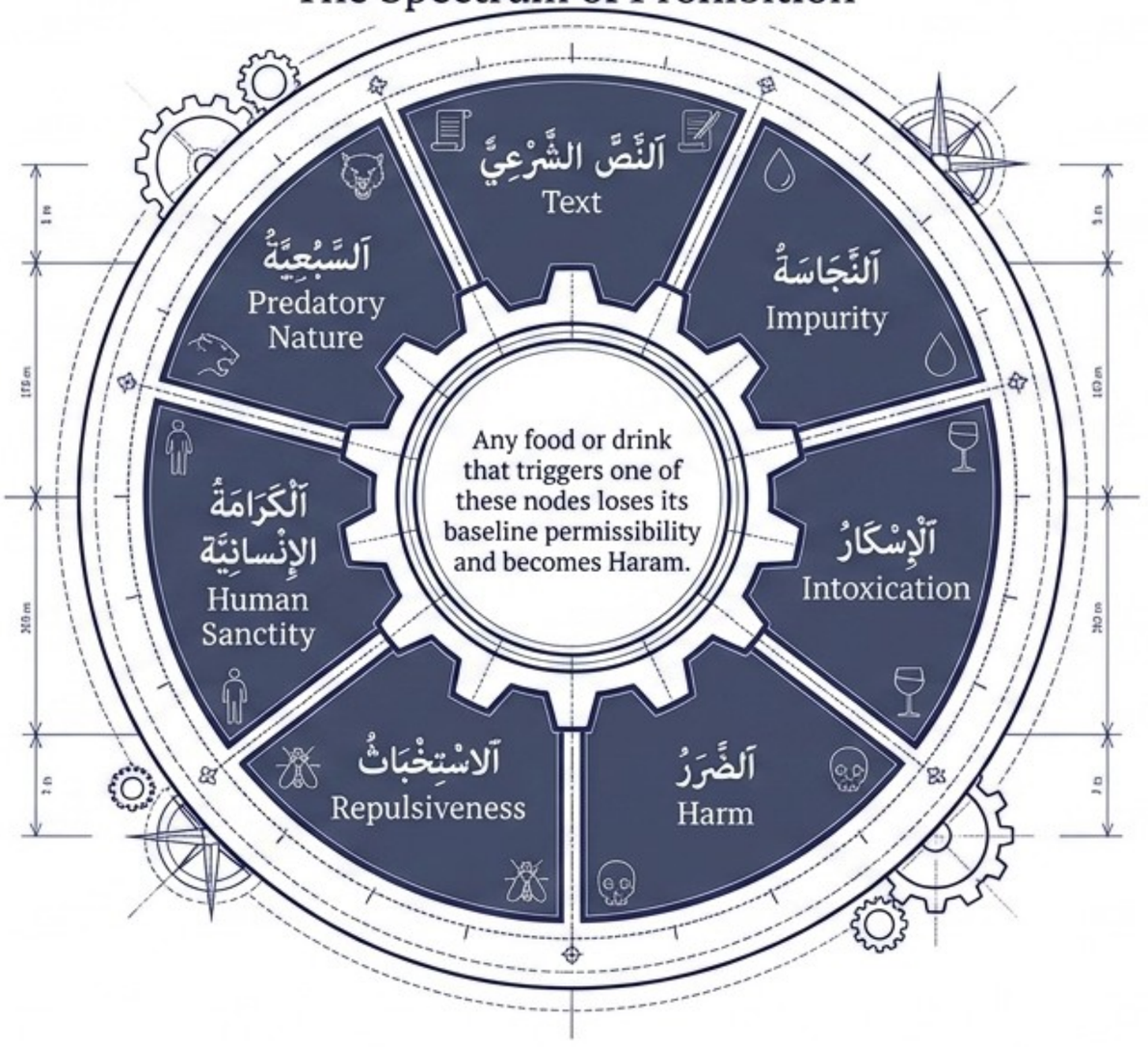
Fiqh Blueprint

The 7 Pillars of Prohibition

The Spectrum of Prohibition



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Cause 1: Prohibition by Textual Evidence (Nass / نص)

Nass refers to clear, explicit textual evidence from the foundational sources of Islam. When an item is explicitly named, human logic or scientific rationalization is superseded by divine decree.

The Quran

The direct word of Allah.

(e.g., Quran 5:3 defining specific forbidden meats).

The Sunnah

The authentic traditions and commands of Prophet Muhammad (ﷺ).

(e.g., explicit prohibitions in Sahih Hadith).

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Explicit Quranic Prohibitions

حُرِّمَتْ عَلَيْكُمُ ٱلْمَيْتَةُ وَٱلدَّمُ وَلَحْمُ ٱلْخِنزِيرِ وَمَآ أُهِلَّ لِغَيْرِ ٱللَّهِ بِهِۦ وَٱلْمُنْخَنِقَةُ وَٱلْمَوْقُوذَةُ وَٱلْمُتَرَدِّيَةُ وَٱلنَّطِيحَةُ وَمَآ أَكَلَ ٱلسَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى ٱلنُّصُبِ وَأَن تَسْتَقْسِمُوا۟ بِٱلْأَزْلَـٰمِ ۚ

Dead Meat / Carrion
(Maytah / ميته)

Animal not slaughtered by Islamic rites, died of natural causes, strangulation, or falling.

Flowing Blood
(Dam Masfuh / دم مسفوح)

Blood poured forth, excluding residual blood trapped in meat fibers.

Flesh of Swine
(Khinzeer / خنزير)

Pork and all porcine by-products.

Immolated to Others
(Ma Uhilla Lighayrillah / وما أهل لغير الله)

Meat dedicated to anyone/anything other than Allah.

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Explicit Prohibitions from the Sunnah

Domesticated Donkeys & Mules (حمر الأهلية)

Explicitly forbidden by the Prophet (ﷺ) during the campaign of Khaybar. (Note: Wild donkeys/zebras carry a different ruling).

Fanged Predators & Birds with Talons

Every wild beast with fangs (e.g., lions, wolves) and every bird with talons (e.g., eagles, falcons) used for hunting.

Animals Forbidden to Kill

The Shariah rule: If the Prophet (ﷺ) prohibited killing an animal (e.g., frogs, bees, ants, hoopoes), it is implicitly Haram to consume, as it cannot be lawfully slaughtered.

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Explicit Prohibitions from the Sunnah

Animals that have been commanded to kill

Animals that have been commanded not to kill

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FATWA - PERMISSION LINKED TO WHEN HARM IS PERCEIVED

Forbidden for Food: Protected vs. Command-to-Kill Animals

In Islamic dietary law (Shariah), animals either protected from killing or commanded to be exterminated share the same ruling: they are strictly **Haram (prohibited) to consume.**

Protected Creatures (Forbidden to Kill)

The Sanctuary Status

Animals protected by the Sunnah are barred from slaughter, rendering them Haram for consumption.

Honey bee and ant

Woodpecker (Hud-hud)

Shrike (Sard)

Frog

The Logic of Protection

Scholars note that if an animal cannot be killed, it cannot be legally slaughtered for food.

Pernicious Pests (Commanded t

The 'Five Mischief-Makers'

Harmful animals commanded to be killed for safety are also prohibited as food.

Scorpion

Rat

Snake

Crow

Kite

Dog

Prohibited Due to Harm

These animals are considered filthy (Khabá'ith) or dangerous, making them unfit for human consumption.

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Node 2: Impurity & Filth (*Najāsah*)
اَلنَّجَاسَة

Substances deemed ritually impure by the Shariah.

Intrinsic Impurity

Items that are filthy in their very essence (e.g., pork derivatives).

Extrinsic Contamination

Pure food that becomes prohibited because it physically contacts and absorbs Najasah.

Diagnostic Link: Detailed application and purification metrics will be covered in Lesson 6.

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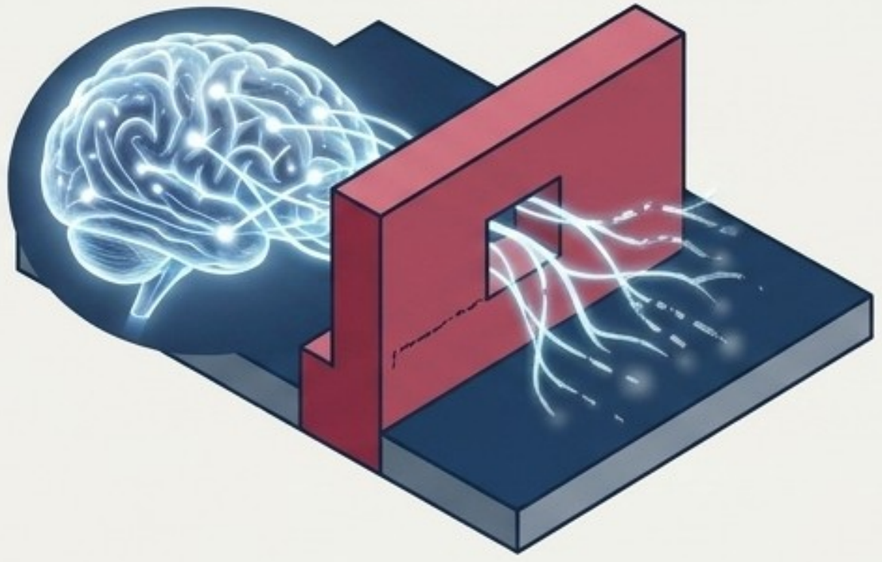
3. Intoxication (الإسكار)

Prohibition of any substance that impairs, clouds, or suppresses human intellec
rational faculties (*Khamr*), regardless of its source (grapes, dates, synthetic).

Intellect/Mind (العقل)



The Governing Maxim:

"Whatever intoxicates in large quantities, a small/trace quantity of it is strictly Haram"
(ما أسكر كثيره فقليله حرام)

Large Quantity

Volume Scale

Trace Quantity/Droplet

Application in Food Science: If a beverage or food can intoxicate a person if consumed in massive quantities, even a single drop of it is forbidden. However, naturally occurring trace ethanol (e.g., in ripe fruit) that cannot biologically intoxicate even in massive volumes is fundamentally not classed as an intoxicant.

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4. Significant Harm and Toxicity (الضرر والمضرَّة)

Rooted in the overarching legal maxim: “There should be neither harming nor reciprocating harm” (لا ضرر ولا ضرار). Any substance that causes proven, significant physical or mental detriment is forbidden.

Toxicity Spectrum

Safe / Beneficial ⟷ Toxic / Lethal

Absolute Harm

Lethal poisons (e.g., Deadly Nightshade, Cyanide), toxic chemicals, and consumption of dangerous inorganic matter like glass, rocks, or soil.

Chronic/Cumulative Harm

Substances that cause long-term, predictable physiological destruction (e.g., tobacco, narcotics).

Relative Harm

Substances safe for the general public but Haram for a specific individual due to severe medical conditions (e.g., extreme allergens).

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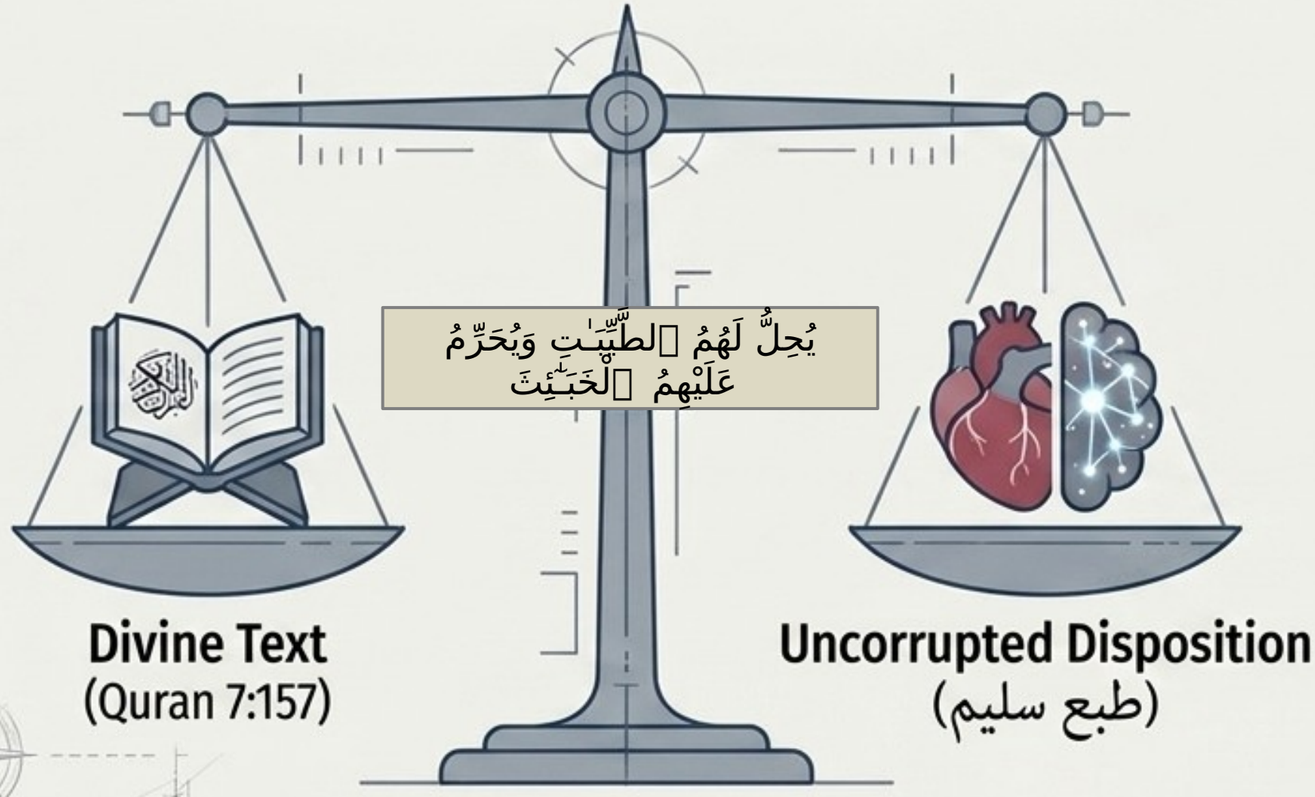
5. Legally Recognized Repulsiveness (ث والاستقذار المعتبر شرعًا

The prohibition of *Al-Khaba'ith*—items naturally regarded as filthy, vile deeply repugnant by uncorrupted human disposition and legal custom. It is the direct opposite of *Al-Tayyibat* (the pure and wholesome).



Divine Text
(Quran 7:157)

Uncorrupted Disposition
(طبع سليم)

Diagnostic Triggers

Aesthetic Filth
Maggots, lice, flies, and creatures that live in or feed on feces.

Protected Species
Animals the Prophet ﷺ explicitly forbade killing (ants, bees, hoopoe birds). If it is forbidden to kill them, they are forbidden to eat.

Exception
The locust is explicitly permitted by Hadith, overriding general aversion.

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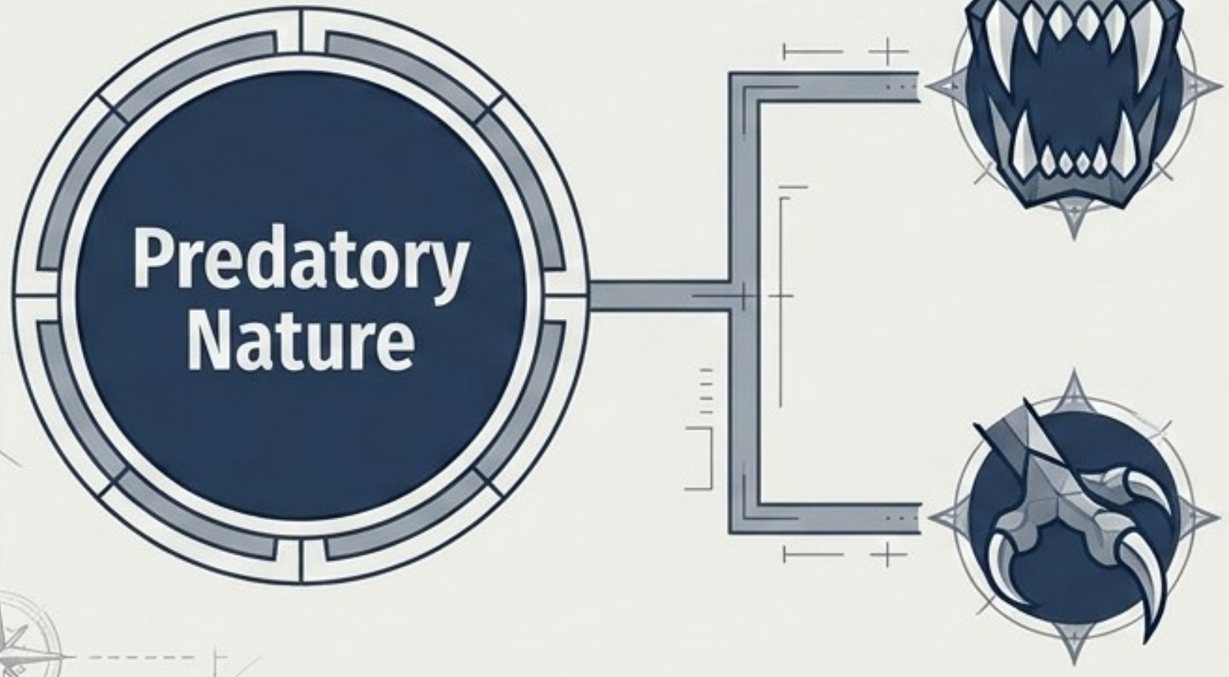
6. Predatory Nature (السبعية والافتراس)

The strict prohibition against consuming beasts and birds of prey based on the Hadith of Ibn Abbas (Sahih Muslim) forbidding animals designed to aggressively hunt others.



Land Predators (Fangs / أنياب)

Beasts of prey that hunt using fangs.

Examples: Lions, tigers, wolves, dogs, cats, bears, and foxes.

Aerial Predators (Talons / مخالب)

Birds of prey that kill using sharp claws/talons, as well as scavenger birds.

Examples: Eagles, falcons, hawks, owls, and vultures.

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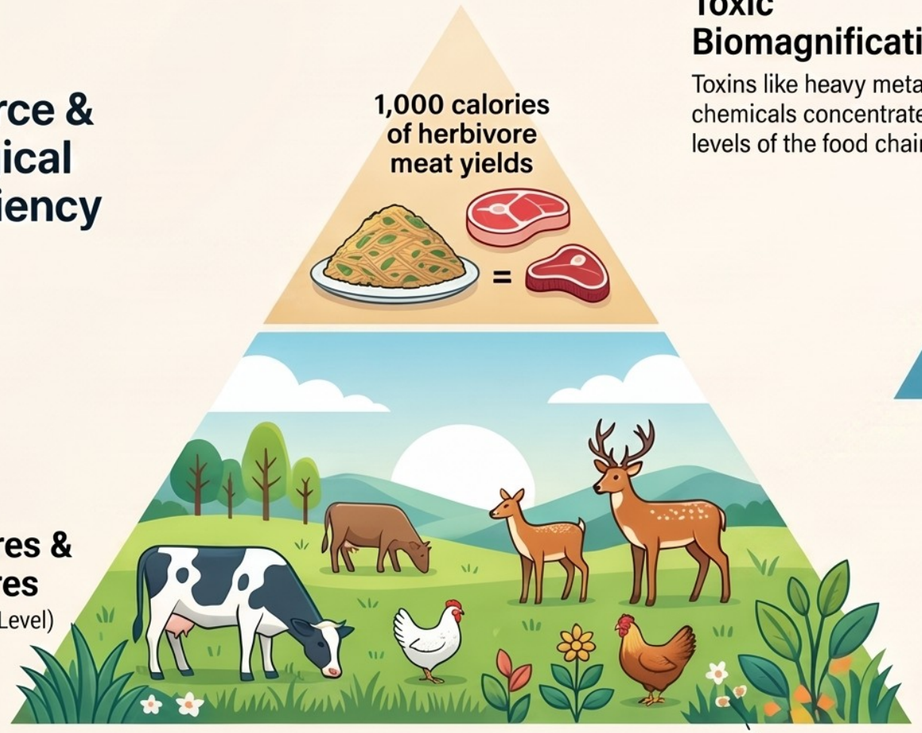
Predators Off the Plate:
Why Humans Avoid Eating Carnivores

While humans consume many herbivores and omnivores, top-tier predators remain largely absent from the global diet due to biomagnification, extreme energy inefficiency, and deep-seated religious prohibitions.

Resource & Ecological Inefficiency

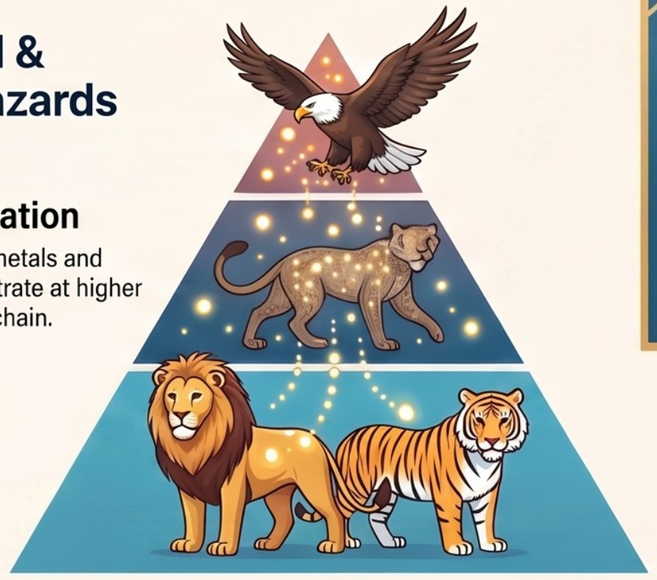


10%

Energy Rule:
Only 10% of energy is passed between food chain levels, making carnivores wasteful to raise.

Biological & Health Hazards

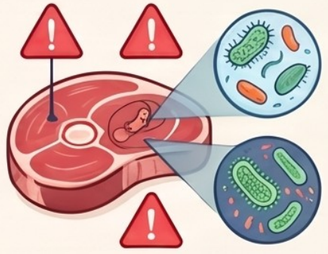
Toxic Biomagnification
Toxins like heavy metals and chemicals concentrate at higher levels of the food chain.



Religious & Cultural

Prohibitio Fangs an
Major religious Quran, explicitl animals with fangs or talons.

Survival-Only Consumption
Historically, humans have only resorted to eating carnivores during extreme famine or survival emergencies.



Parasite and Pathogen Risk
Eating predators increases the likelihood of contracting dangerous parasites and life-threatening pathogens.

Ecosystem Disruption:
Removing top predators can trigger “trophic cascades” that collapse entire local habitats.

Lean and Tough Texture:
Predator meat is typically stringy and lacks the juicy fat found in herbivores.

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Node 6: Human Sanctity (*Karāmah Insāniyyah*)

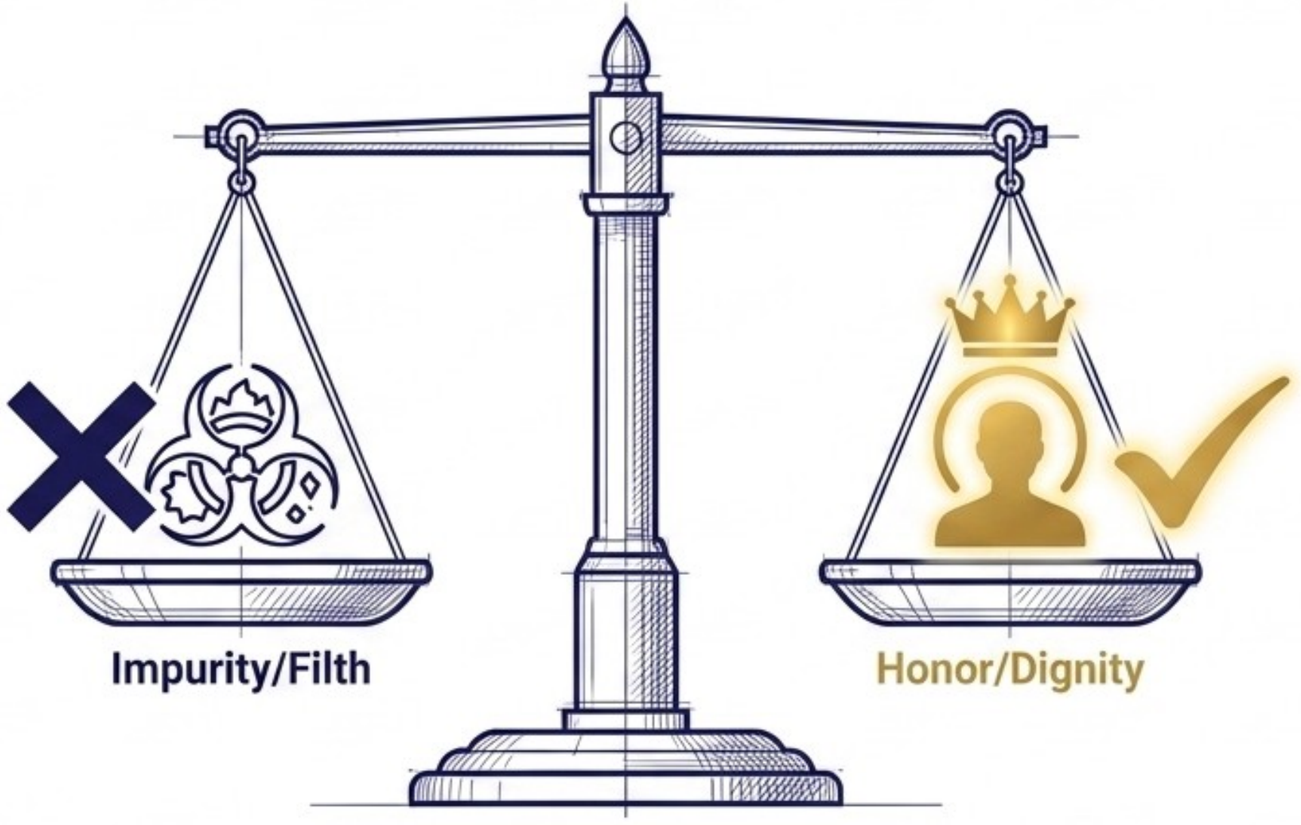
اَلْكَرَامَةُ الْإِنْسَانِيَّة

The strict prohibition against consuming or commodifying human tissues, organs, cells, or derivatives.

The Fiqh Distinction:

Human derivatives are forbidden not because humans are ritually impure (*Najis*). They are pure. They are forbidden because the human being has been granted divine ssecunity because the human being has been granted divine honor and sanctity, preventing their reduction to a consumer commodity.

﴿ لَا لِأَجْلِ النَّجَاسَةِ ﴾



Diagnostic Link:
Stem cells, enzymes, and bio-ethics covered in Lesson 34.

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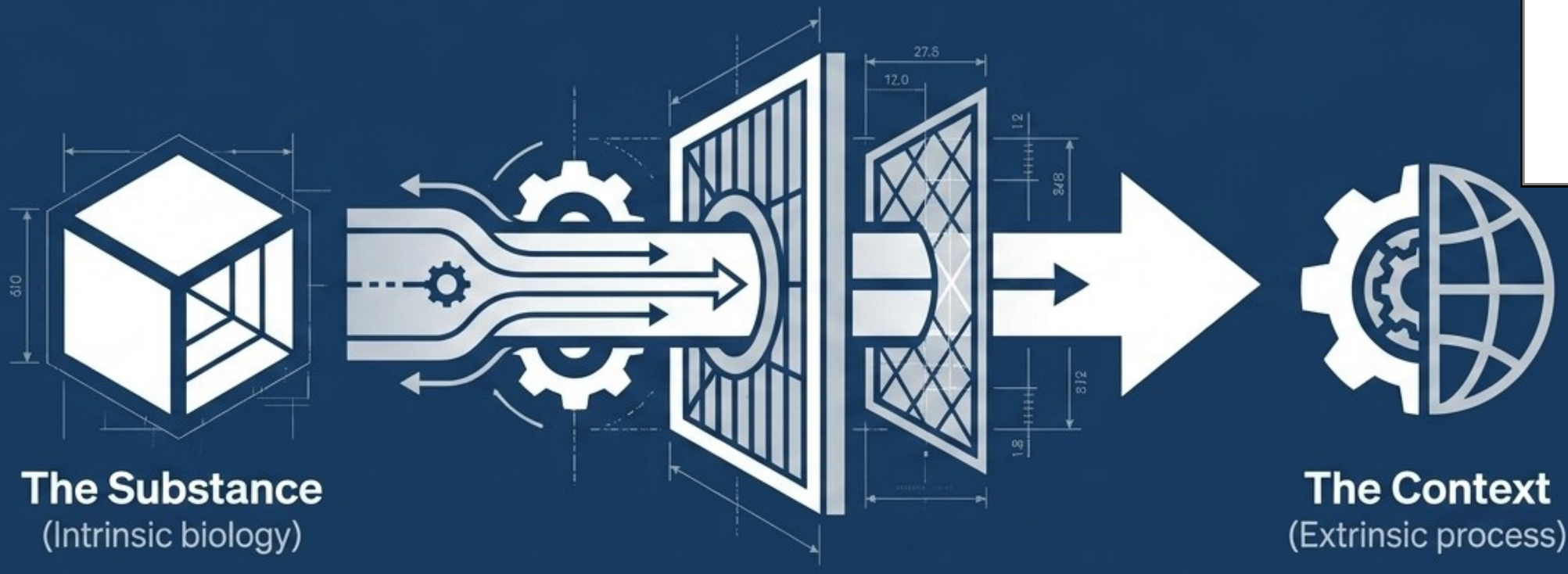

The Substance
(Intrinsic biology)

The Context
(Extrinsic process)

The Extrinsic Shift: When Context Alters Status

A food item may be fundamentally pure and biologically permissible (e.g., a healthy sheep, pure water, fresh apples). However, external variables—human procedural errors, acquired contamination, or legal violations——can instantly render a pure item Haram. We now examine the 3 Extrinsic Causes.

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8. Absence of Valid Shar'ī Slaughter (فقدان التذكية الشرعية)

The failure to meet the strict ritual and procedural requirements for slaughtering l
animals. Without this, a Halal animal (like a cow) legally becomes impermissible carrion
(Maytah).

Failure Triggers (Quran 5:3):

- Animal dies before slaughter (strangled, beaten, fatal fall, gored).
- Failure to sever the required vessels (improper cut).
- Slaughtering in the name of anyone other than Allah.
- Intentional omission of the Basmalah.

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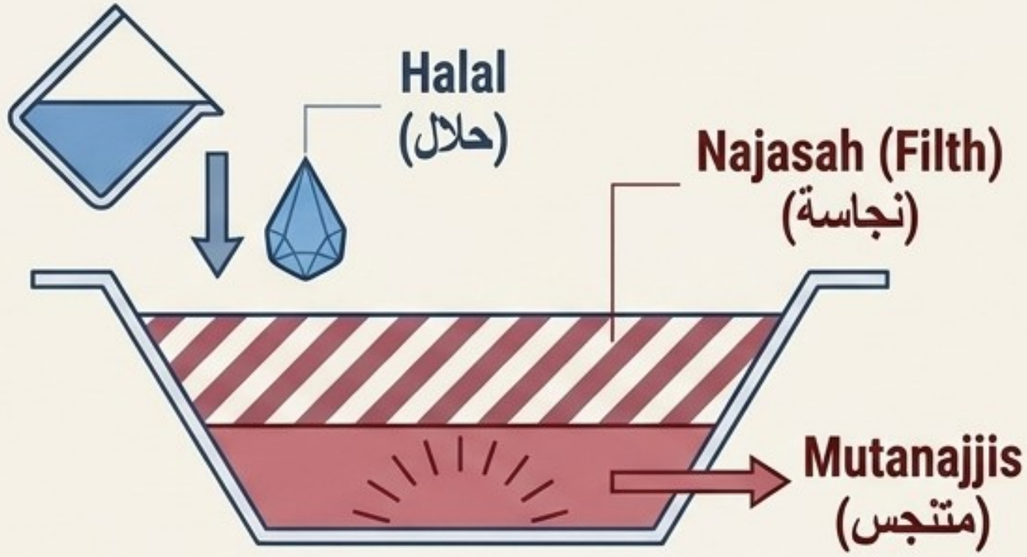
9. Acquired Contamination by Impurity (التنجس الطارئ)

The transformation of an inherently pure (*Tahir*) item into a prohibited one d
contact with external filth, creating the legal category of *Mutanajjis*.



Industrial Examples: Halal chicken processed on equipment previously used for pork without ritual cleansing; pure food exposed to flowing blood or animal excrement on a factory floor.

Remediation & Thresholds (المعالجة والحدود)

Istihlak (Dilution) (الاستهلاك)	*Istihala* (Transformation) (الاستحالة)
If an impurity falls into a massive body of liquid and its taste, color, and odor completely disappear, the liquid may remain pure.	Complete chemical transformation (e.g., wine naturally turning to vinegar) cleanses the impurity.

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10. Lack of Lawful Authorization (الإذن الشرعي وحقوق الغير)

Prohibition rooted in financial, ethical, and property jurisprudence rather than physical purity or toxicology.

Application: Food acquired through theft, fraud, usury (Riba), or taking another's property without explicit consent is strictly Haram to consume.

The Insight: The physical substance (e.g., an apple) may perfectly clear the first 9 gates—it is non-toxic, pure, and not a predator—but the unethical method of acquisition renders it legally forbidden to the consumer.

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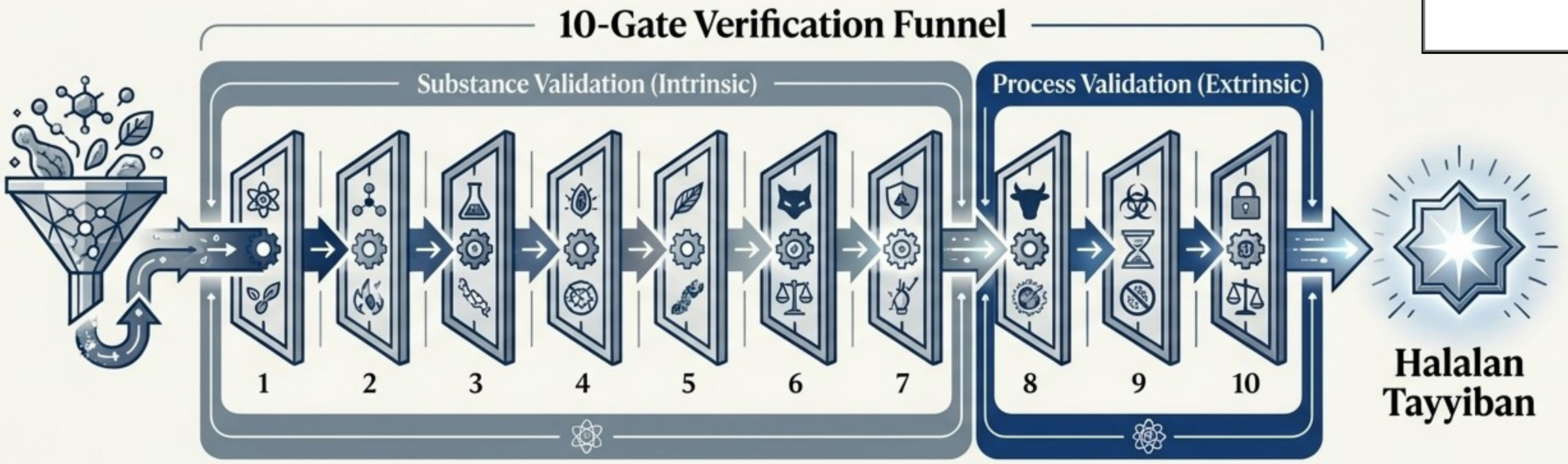
The Complete Evaluative Architecture



Synthesis Statement

To achieve the standard of Halalan Tayyiban (Lawful and Wholesome), a product must successfully clear all 10 jurisprudential hurdles.

The Core Insight

Failure at any single gate—whether due to an inherent chemical toxicity (Gate 4), a procedural failure in slaughter (Gate 8), or an unethical financial transaction (Gate 10)—triggers absolute prohibition. This interlocking architecture ensures the holistic protection of the consumer's body, mind, and spiritual integrity.

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Synthesis: The Holistic Protection Model (*Maqāṣid*)

Islamic dietary laws are not arbitrary constraints; they form a highly synchronized shield designed to preserve human flourishing.

Protection of the Intellect (*ʿAql*)
Secured by the prohibition of *Iskār*.

Iskār

Protection of the Physical Body (*Nafs*)
Secured by the prohibition of *Ḍarar* and *Istikhbāth*.

Ḍarar

Istikhbāth

Najāsah

Saba'iyyah

Protection of Spiritual Purity (*Dīn*)
Secured by the prohibition of Najāsah and Saba'iyyah.

Protection of Human Dignity (*ʿIrḍ*)
Secured by the prohibition against violating Human Sanctity.

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